IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.68 OF 1997

Shri Raghav Krishna Ghatwal. ..Petitioner.

V/s.

Shri Shridhar S. Bhalekar & Ors. ..Respondents.

Mr.K.K.Malpathak for respondent Nos.1,6,7,13 & 17.

Mr.S.M.Paranjape for respondent Nos.2,4 and 9.

Mr.S.M.Kamble for respondent No.3,5,10,11,12,14,16.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 7, 2006.

P.C. :

1. Heard counsel for the parties. Perused the relevant documents.

2. This contempt petition arises out of the reference made by the Joint Charity Commissioner, Maharashtra State, Bombay in terms of communication dated 23rd August, 1996. The basis on which the contempt action was proposed was that the respondent contemnors had failed to hand over the charge to the Adhoc trustees appointed under the orders of the Joint Charity Commissioner dated 12th July, 1996. It is seen from the record that the order passed by the Joint Charity Commissioner dated 12th July, 1996 was

carried in appeal by way of Charity Application No.6 of 1996 before the Bombay City Civil Court and that proceeding culminated in favour of the respondents. In other words, the order passed by the Joint Charity Commissioner dated 12th July, 1996 came to be set aside by the City Civil Court in the Charity Application. As the basis on which the proposal for initiating contempt action has disappeared, the question of proceeding with this contempt action does not arise. Hence petition disposed of. Notice issued to respondent contemnors stands discharged.